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December 29, 2022

**Via ECF**

Honorable Katherine H. Parker  
United States District Court  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, New York 10007

Re: FRHUEB, Inc., v. De Freitas Abdala, et al.  
Civil Action No. 1:21-cv-07395 (SDNY)

Dear Magistrate Judge Parker:

The Parties<sup>1</sup> hereby submit this joint letter, in response to Your Honor's Order dated September 30, 2022 (Docket # 157) ("the Stay Order") updating the Court of the status of a related proceeding in the courts of Dubai, United Arab Emirates (the "Foreign Proceeding").

The Parties hereby jointly inform the Court that the Dubai action was dismissed, with neither party in the Foreign Proceeding having filed an appeal.

**Plaintiffs' Position**

The Plaintiffs state that the bottom line of the Dubai action is to the effect that Plaintiffs remain 88% shareholders of FR Hueb International LTD. The Defendants' share remains at 12%, despite its allegations that its transfer of 38% share to Plaintiffs was fraudulently induced. The issue of "... *whether Abdala retains any interest in the FR Hueb marks and can utilize those marks in Brazil, the United States, or elsewhere*" was neither presented nor ruled upon by the Dubai Tribunal. The decision and pleadings in the Dubai action are all in the Arabic language, and therefore not attached hereto.

Therefore, Plaintiffs will request reinstatement of the Preliminary Injunction, on the basis that nothing in the Dubai decision or under the Trademark Laws of the United States permits any of the individuals and entities that comprise the Defendants herein to use the subject United States trademarks in their personal capacities.

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<sup>1</sup> Plaintiff recently retained additional counsel to represent it herein. The signatory counsel for Plaintiff filed its appearance on December 23, 2022 (Docket # 160).

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**Defendants' Position**

UAE counsel informed Defendants' that the Foreign Proceeding has been concluded but a copy of the final ruling has not yet been provided or reviewed by Defendants' counsel. As Defendants' counsel were advised by Defendants' UAE counsel, the Dubai Court of First Instance dismissed all of Rihen Mehta's claims against Defendant Thiago and adopted the report of the tripartite committee of experts, holding that "the claimant [Rihen Mehta] is not entitled to any amounts or compensations from the respondent [Thiago Hueb]" because "the latter's claim was sent without any supporting documents confirming its validity." As a result, Defendant Thiago remains co-director of FR Hueb International and 12% shareholder of the company.

It is Defendants' position that Plaintiffs' counsel's request and position regarding the preliminary injunction and further merits of this case are not appropriate for the Court's consideration in the context of this joint status letter.

Respectfully submitted,

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